



Entered on Docket  
September 23, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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11 *Attorneys for USACM Liquidating Trust*

12 **UNITED STATES BANKRUPTCY COURT**  
13 **DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 Debtor.

18 Case No. BK-S-06-10725-LBR

19 CHAPTER 11

20 **Order Sustaining Ninth Omnibus  
Objection Of USACM Trust To  
Unallocated Amounts of Proofs Of Claim**

21 Hearing Date: August 30, 2011

22 Hearing Time: 10:30 a.m.

23 The Court having considered the "Ninth Omnibus Objection Of USACM Trust To  
24 Unallocated Amounts of Proofs Of Claim ("Unallocated Amount") [DE 8705] (the  
"Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice  
25 of the Objection having been given; no response to the Objection having been filed; and  
26 good cause appearing:

**IT IS ORDERED** that:

1. The Objection [DE 8705] is sustained;

1       2. The Proofs of Claim listed on **Exhibit A** attached are disallowed to the  
2 extent the amount of the claim as stated on the face of proof of claim exceeds the amount  
3 of the claim supported by the documentation provided with the proof of claim, i.e., the  
4 Unallocated Amount as shown on **Exhibit A** attached; and

5       3. This order concerns only the Unallocated Amount of the claim and not any  
6 other claim of the claimants.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9  
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)  
12       Robert M. Charles, Jr.  
13       John Hinderaker (*pro hac vice*)  
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18  
19       *Attorneys for USACM Liquidating Trust*

## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust**  
**Unallocated Amounts Of Proofs Of Claim**  
**Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because The Trust Could Not Allocate Amount to a Specific Direct Lender Loan
10725-01035	11/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin Pmb 107 3212 Jefferson St. Napa, CA 94558-3436	1,116,400.00	61,400.00
10725-02219	1/12/2007	Louis H & Shirley M Turner Fam Trst Dtd 9/19/97	Louis H & Shirley M Turner Ttees 9558 Mammoth Ct Reno, NV 89521	304,359.74	2,179.87
10725-02214	1/12/2007	Lynda L Pinnell Living Trust Dtd 7/24/00	Lynda L Pinnell Ttee 9915 Saddleback Dr Lakeside, CA 92040	649,047.68	4,523.84
10725-00146	8/15/2006	Maheshwari, Rabinder & Usha	Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr., Suite 401 Pleasanton, CA 94583	153,831.94	3,831.94
10725-02308	1/13/2007	Mantas, Leo G	7440 S Blackhawk St #12208 Englewood, CO 80112-4355	329,116.00	14,558.00
10725-02125	1/11/2007	Marilyn Johnson Living Trust Dtd 10/5/99	Marilyn Johnson Trustee 1010 La Rue Ave Reno, NV 89509	202,800.00	1,400.00
10725-02328	1/13/2007	Marion C Sharp Ira	20 Leroy Terrace New Haven, CT 06512-3114	450,000.00	25,000.00
10725-01967	1/10/2007	Markwell Family Trust	Terry & Christiane Markwell Tties 12765 Silver Wolf Rd Reno, NV 89511	710,494.52	5,247.26
10725-01968	1/10/2007	Markwell, Monique	100 North Arlington Ave #9H Reno, NV 89501	202,384.90	1,192.45
10725-00565	10/12/2006	Mary E Dunlop 1992 Trust Dtd 7/29/03	Mary E Dunlop Trustee 10969 Las Casitas Atascadero, CA 93422	101,429.17	1,429.17

**EXHIBIT A**